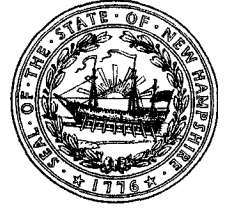




The State of New Hampshire
Department of Environmental Services
Water Council



PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Appeals Clerk Telephone (603) 271-6072 - TDD Access: Relay NH 1-800-735-2964
DES Website: www.des.nh.gov - Council Website: www.des.state.nh.us/councils/

November 28, 2005

E. Tupper Kinder, Esq.
Nelson Kinder Mosseau & Saturley PC
99 Middle Street
Manchester, NH 03101

Re: Docket No. 05-22 WC – Town of Nottingham Appeal

Dear Attorney Kinder:

The Notice of Appeal of the Department of Environmental Services decision on *New Sources of Bottled Water Design Review # 994058 Conditional Approval* dated October 25, 2005, which you filed on behalf of Save Our Groundwater ("SOG"), was received by my office on November 23, 2005. This appeal has been assigned Docket No. 05-21 WC. Please refer to this docket number in all future correspondence relative to this appeal. I have forwarded the notice of appeal NH Water Council ("the Council"), which I expect will decide to accept or dismiss the appeal at its next regular business meeting, tentatively scheduled for December 14, 2005. This meeting is simply a regular Council business meeting, not a hearing; therefore your attendance is not required. If the Council accepts this appeal a Pre-hearing Conference will be scheduled and you will receive written notice of the same.

Please note that *any* document filed in conjunction with this appeal shall be filed by mailing or delivering the **original and 20 copies** of the document to the Council Appeals Clerk. Additionally, a copy of the document must be sent to all parties to the appeal and to any person who has a motion to intervene pending before the Council. Every document filed with the Council, and required to be served upon the parties to the appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served. Documents filed with, or issued by the Council relative to this appeal are available for viewing and printing via the internet at www.des.state.nh.us/legal/documents/appeals/

If you have any questions, please contact me at (603) 271-6072 or by e-mail at msclafani@des.state.nh.us

Sincerely,

COPY

Michael P. Sclafani, Appeals Clerk
NH Water Council

cc: NH Water Council
Michael P. Nolin, Commissioner, DES
Harry T. Stewart, P.E., Director, DES Water Division
Kerry D. Barnsley, DES Legal Unit
Jennifer J. Patterson, NH DOJ
Brandon Kernen, DES WD
DES Public Information Officer
USA Springs, Inc., Attn: Francesco Rotondo, Applicant